

Congress of the United States
Washington, DC 20515

February 28, 2003

The Honorable George W. Bush
President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C.

Dear Mr. President:

On June 12th of last year, you signed into law the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, also known as the Bioterrorism Act. I am concerned that the guidelines on how best to distribute potassium iodide will not be released, as required by the Act, by June 12th, 2003.

As you know, the Bioterrorism Act required you to "request the National Academy of Sciences to ... conduct a study to determine what is the most effective and safe way to distribute and administer potassium iodide tablets on a mass scale." This report was to have been sent to Congress no "later than six months after the date of the enactment of this Act." This report was thus due on December 12, 2002. As of today, February 28, 2003, Congress has received no such report. In fact, the National Academy of Sciences is still in the process of selecting panel members and does not expect to produce a report until September of this year—10 months after the deadline.

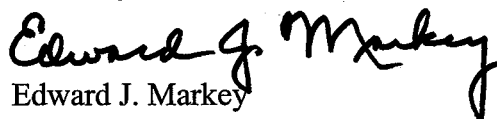
The Bioterrorism Act also required you or your designee to issue guidelines, based on the panel's findings, on how the states should plan to distribute potassium iodide. These guidelines are to be issued no later than one year after the enactment of the Bioterrorism Act. Given the delay in the creation of the National Academy of Sciences panel, I fear that these guidelines will not be issued prior to the June 12th deadline.

The recent imposition of a Homeland Security Advisory level of "orange" or "high risk or terrorist attacks" has led to increases in the demand for potassium iodide by individuals. However, states, cities and towns do not yet have the required, federally supplied plan for distribution of potassium iodide to the eligible population. This is simply unacceptable, and poses unnecessary risks at this time of heightened terrorist threat. Accordingly, I ask for your prompt responses to the following questions:

- 1.) Which Executive Branch employee has been designated as the responsible individual for assuring that the KI report mandated under the Bioterrorism Act is produced in a timely matter?
- 2.) Why wasn't the NAS panel selected in time to meet the December 12th deadline? When will the NAS report be submitted?
- 3.) What preparations is your Administration undertaking to prepare and issue the guidelines for KI distribution mandated under the Act?
- 4.) Who within the Administration will be responsible for issuing these guidelines, and what process will be followed in developing and promulgating them?
- 5.) What is the Administration doing to educate the public about KI and work with state and local public health and emergency response officials to develop policies and procedures for stockpiling and distribution of KI?

Thank you for your assistance and cooperation. I would appreciate your response by March 14, 2003. Please have your staff contact Dr. Benn Tannenbaum at (202) 225-2836 if you have any questions about this request.

Sincerely,

A handwritten signature in black ink, reading "Edward J. Markey". The signature is fluid and cursive, with the first name "Edward" and last name "Markey" clearly legible. The middle initial "J." is smaller and less distinct.

Edward J. Markey
Member of Congress